IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.400 OF 2007

In

SUIT NO.263 OF 2007

Godrej Consumer Products Limited : Plaintiff

V/s.

Alchemy Biotech Private Limited : Defendant

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Mr.Rahul Kadam with Mr.Ashutosh Kane i/b. Mr.H.W.Kane for the plaintiff.

None present for the defendant.

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CORAM : A.M. KHANWILKAR, J.

DATE : APRIL 11, 2007.

P.C.

1. Heard the counsel for the plaintiff. None appears for the defendant, though served. Affidavit of service filed by the plaintiff indicates that the defendant has been duly served. In spite of service, no reply has been filed by the defendant to oppose this Motion. The assertions made in the affidavit-in-support of the Motion have remained uncontroverted. The plaintiff has asserted that the plaintiff has obtained registration of trade mark "EZEE" bearing registration nos.410491-B and 513930 both

in class 3. The defendant is using the mark "EASY WASH" which is deceptively similar to the registered trade mark of the plaintiff in connection with detergent or similar goods. In the circumstances, the plaintiff is entitled for interim relief in terms of prayer clauses (a) and (b). as the Motion has remained unopposed.

2. Accordingly, the Motion is made absolute in terms of prayer clauses (a) and (b).

A.M. KHANWILKAR, J.